



U.S. Department of Justice

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For Immediate Release:

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EVENT: Complaint

Defendant: Fairway Trails Limited, L.P et al

YPSILANTI APARTMENT COMPLEX BEING SUED IN FEDERAL COURT

The United States Attorney's Office announced that it has filed a lawsuit today against **FAIRWAY TRAILS LIMITED, L.P., BENCHMARK MANAGEMENT CORP., BENCHMARK MICHIGAN PROPERTIES, INC.,** and **NICOLE MORBACH.** The lawsuit alleges unlawful retaliation under the Fair Housing Act at this Ypsilanti, Michigan apartment complex. Fairway Trails is located at 130 Hewitt Street, Ypsilanti, Michigan 48197 .

"Housing discrimination of this sort is fundamentally wrong. No one should be denied housing because they assert their rights under civil rights laws," said Stephen J. Murphy, United States Attorney for the Eastern District of Michigan.

The complaint, filed in federal district court in Detroit, Michigan, and assigned to United States District Judge John Corbett O'Meara, alleges that the defendants moved to evict Harry Tyus, a resident at Fairway Trails Apartments, after he complained to the Fair Housing Center of Southeastern Michigan that the defendants would not grant his request for a reasonable accommodation. Mr. Tyus is disabled, due a number of serious health conditions.

Following a bench trial on the eviction proceeding, Washtenaw County Circuit Judge John B. Collins, entered an order requiring defendants to grant Mr. Tyus's request for an accommodation. Two days later, defendants notified Mr. Tyus that they would not renew his lease. This conduct constitutes unlawful retaliation under the Fair Housing Act, 42 U.S.C. § 3617, and Mr. Tyus filed a complaint with department of Housing and Urban Development (HUD) on April 18, 2005. The Fair Housing Center of Southeastern Michigan assisted Mr. Tyus with his complaint.

HUD investigated Mr. Tyus's complaint, and on March 21, 2006, HUD issued a determination of reasonable cause. On April 7, 2006, Mr. Tyus elected to have the case resolved in federal court. The Department of Justice then filed this suit on behalf of Harry Tyus.

The lawsuit seeks an order prohibiting the defendants from engaging in unlawful housing discrimination and monetary damages for Mr. Tyus, who was forced to move from his apartment at Fairway Trails.

Fighting illegal housing discrimination is a top priority of the United States Attorney and the Department of Justice. In February, Attorney General Alberto R. Gonzales announced Operation Home Sweet Home, a concentrated initiative to expose and eliminate housing discrimination in America. This initiative was inspired by the plight of displaced victims of Hurricane Katrina who were suddenly forced to find new places to live. Operation Home Sweet Home, however, is not limited to the areas hit by Hurricane Katrina, but targets housing discrimination all over the country-including Michigan.

The federal Fair Housing Act prohibits discrimination in housing on the basis of race, color, religion, sex, familial status, national origin and disability. For more information about the Civil Rights Division and the laws it enforces, go to www.usdoj.gov/crt.